

SECOND REGULAR SESSION

SENATE BILL NO. 1218

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARNITZ.

Read 1st time February 27, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5336S.011

AN ACT

To repeal section 476.083, RSMo, and to enact in lieu thereof one new section relating to circuit court marshals.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 476.083, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 476.083, to read as follows:

476.083. 1. In addition to any appointments made pursuant to section
2 485.010, RSMo, the presiding judge of each circuit containing one or more
3 facilities operated by the department of corrections with an average total inmate
4 population in all such facilities in the circuit over the previous two years of more
5 than [two] **one** thousand five hundred inmates may appoint a circuit court
6 marshal to aid the presiding judge in the administration of the judicial business
7 of the circuit by overseeing the physical security of the courthouse, serving
8 court-generated papers and orders, and assisting the judges of the circuit as the
9 presiding judge determines appropriate. Such circuit court marshal appointed
10 pursuant to the provisions of this section shall serve at the pleasure of the
11 presiding judge. The circuit court marshal authorized by this section is in
12 addition to staff support from the circuit clerks, deputy circuit clerks, division
13 clerks, municipal clerks, and any other staff personnel which may otherwise be
14 provided by law.

15 2. The salary of a circuit court marshal shall be established by the
16 presiding judge of the circuit within funds made available for that purpose, but
17 such salary shall not exceed ninety percent of the salary of the highest paid
18 sheriff serving a county wholly or partially within that circuit. Personnel
19 authorized by this section shall be paid from state funds or federal grant moneys

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 which are available for that purpose and not from county funds.

21 3. Any person appointed as a circuit court marshal pursuant to this
22 section shall have at least five years' prior experience as a law enforcement
23 officer. In addition, any such person shall within one year after appointment, or
24 as soon as practicable, attend a court security school or training program
25 operated by the United States Marshal Service. In addition to all other powers
26 and duties prescribed in this section, a circuit court marshal may:

27 (1) Serve process;

28 (2) Wear a concealable firearm; and

29 (3) Make an arrest based upon local court rules and state law, and as
30 directed by the presiding judge of the circuit.

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Bill

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